

REMARKS

The applicants respectfully requests reconsideration of the above referenced patent application in view of the amendments and remarks set forth herein, and respectfully request that the Examiner withdraw all rejections. Claims 1, 4, 5, 9, 11, 12, 19-21, 64, 65, 69, 71 and 72 have been amended. No claims have been canceled. No claims have been added. Thus, claims 1-22 and 64-73 are pending.

Office Action Objections

The Office Action objects to claims 19, 20 and 69-72 for lack of support in the specification. Specifically, the Office Action alleges that elements used in the claims to position a light source are disclosed in the specification as merely conducting light from the light source. Currently amended independent claim 19 recites in a salient portion (emphasis added):

“...further comprising a **waveguide attached** to the positioning means, the waveguide to **receive** light from the light source and **direct** the light...”

The applicants submit that the amended claim 19 imputes the light-directing function to the waveguide and the positioning function to the positioning means, as supported in the original disclosure and as cited in the Office Action. Amended claim 20 provides a corresponding distinction between the elements' respective light-directing and positioning functions. The applicants request that the objection to claims 19 and 20 be withdrawn.

Similarly, currently amended independent claims 69 and 71 recites in salient portion (emphasis added):

Claim 69: “...further comprising a **light projector attached** to the structural element, the light projector **to direct** a portion of the provided light...”

Claim 71: “...further comprising an **optical element attached** to the structural element, the optical element **to direct** a portion of the provided light...”

As with claim 19, amended claims 69 and 71 each impute the light-directing function and the positioning function to separate claim elements. Dependent claims 70 and 72 incorporate this separation of functions by virtue of their dependency. The applicants request that the objection to claims 69-72 be withdrawn.

35 U.S.C. §102 Rejections

35 U.S.C. § 102(b) Rejection over *Franklin*

The Office Action rejects claims 1-4, 6-9, 13-15, 64-68 and 73 under 35 U.S.C. §102(b) as being anticipated by Franklin, U.S. Patent Number 2,526,548 (*Franklin*). The Office Action alleges that *Franklin* discloses a hubcap D with openings 8 and 9 which are illuminated by a lamp 7 and a reflector 5. To overcome a 35 U.S.C. §102(b) rejection, the applicants may either demonstrate that the cited document fails to teach one limitation in the rejected claim, or add such a limitation to the claim by appropriate amendment. For at least the following reasons the applicants traverse the above rejection.

Currently amended independent claim 1 recites in a salient portion (emphasis added):

“...an amount of light from the light source **reflected from a visible surface** of the wheel is **greater** than an amount of light from the light source **directed away** from the **visible surface** of the wheel.”

Similar references to a “visible surface of a wheel” are added by amendment to claims 4, 5, 9, 11, 12, 19, 21, 64, 65, 69, and 71. These amendments are supported in the original disclosure at least by paragraph [0005] and [0006] and by FIGS. 1, 2, 3, 4A, 4B and 5.

The applicants respectfully submit that the rejected claims are patentable over *Franklin* at least based on independent claims 1 and 64, as amended. Specifically, *Franklin* does not disclose the reflection of light **from a visible surface** of a wheel. The light from lamp 7 is reflected from within the interior of hubcap D, which **cannot be seen** by an observer. Accordingly, amended independent claims 1 and 64 each contain a limitation not found in *Franklin*, and are patentable over *Franklin*. Furthermore, dependent claims 2-4, 6-9, 13-15, 65-68 and 73, which each depend directly or indirectly from either of independent claims 1 and 64, also contain at least one limitation not found in *Franklin*. Therefore, the applicants request that the rejection of claims 1-4, 6-9, 13-15, 64-68 and 73 under 35 U.S.C. §102(b) based on *Franklin* be withdrawn.

35 U.S.C. §103(a) Rejections

35 U.S.C. § 103(a) Rejection over *Franklin*

The Office Action rejects claims 5, 16-18, 21 and 22 under §103(a) as being unpatentable over *Franklin*. Specifically, *Franklin* is alleged to contain a concavo-convex reflector 5 which

anticipates the reflective surface coating in claim 5. Furthermore, claims 16-18 are alleged to make mere design changes to claims previously rejected over *Franklin*, while claims 21 and 22 are alleged to merely multiply the elements already taught in *Franklin*. To overcome a rejection under 35 U.S.C. §103(a), the applicants may submit by appropriate amendment a claim limitation which is not suggested by any combination of the cited references. For at least the following reasons the applicants traverse these rejections.

As discussed previously, *Franklin* fails to disclose light reflected from a visible surface of a wheel, as disclosed in amended claim 1. The Office Action does not offer *Franklin* as further suggesting this limitation in any way. Claims 5, 16-18, 21 and 22 each depend either directly or indirectly from claim 1. Therefore each rejected claim has incorporated at least one limitation not taught or suggested by *Franklin*. For this reason, the applicants request that the rejection of claims 5, 16-18, 21 and 22 under §103(a) based on *Franklin* be withdrawn.

35 U.S.C. § 103(a) Rejection over *Franklin* in view of *Sunderhauf*

The Office Action rejects claim 10 under §103(a) as being unpatentable over *Franklin* in view of *Sunderhauf*, U.S. Patent Number 2,177,467 (*Sunderhauf*). The Office Action relies on the above §103(a) rejection based on *Franklin*, further alleging that the use of a reflective surface in *Sunderhauf* renders claim 10 obvious. For at least the following reasons the applicants traverse these rejections.

The applicants submit that claim 10 is patentable over the combination of *Franklin* and *Sunderhauf*. As discussed above, *Franklin* fails to disclose light reflected **from a visible surface** of a wheel, as disclosed in amended claim 1. In depending indirectly from amended claim 1, claim 10 also incorporates the limitation not suggested by *Franklin*. *Sunderhauf* is not offered as disclosing, nor does it teach or suggest, the reflection of light from the **visible surface** of a wheel. Therefore, the combination of *Franklin* and *Sunderhauf* fails to suggest at least one limitation of claim 10. Accordingly, the applicants request that the rejection of claim 10 under 35 U.S.C. §103(a) based on *Franklin* and *Sunderhauf* be withdrawn.

35 U.S.C. § 103(a) Rejection over *Franklin* in view of *Papadakis*

The Office Action rejects claims 11, 12, 19, 20 and 69-72 under §103(a) as being unpatentable over *Franklin* in view of *Papadakis*, U.S. Patent Number 4,430,692 (*Papadakis*). *Papadakis* is alleged to use a light guide to direct light in a way that renders the above claims obvious. For at least the following reasons the applicants traverse these rejections.

The applicants submit that claims 11, 12, 19, 20 and 69-72 are patentable over the combination of *Franklin* and *Papadakis* at least by virtue of the patentability of amended claims 1 and 64. As discussed above, *Franklin* does not disclose the reflection of light **from a visible surface** of a wheel, as described in both amended independent claims 1 and 64. In depending directly or indirectly from either of amended claims 1 and 64, each of the rejected claims incorporates the limitation not disclosed in *Franklin*. *Papadakis* is not offered as disclosing, nor does it teach or suggest, the reflection of light **from the visible surface** of a wheel. Therefore,

the combination of *Franklin* and *Papadakis* fails to suggest at least one limitation in each of the rejected claims. The applicants request that the rejection of claims 11, 12, 19, 20 and 69-72 under 35 U.S.C. §103(a) based on *Franklin* and *Papadakis* be withdrawn.

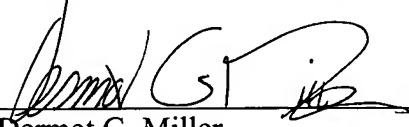
CONCLUSION

For at least the foregoing reasons, Applicants submit that the objections and rejections have been overcome. Therefore, claims 1-22 and 64-73 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date:

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Dermot G. Miller
Attorney for Applicant
Reg. No. 58,309

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 439-8778